

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ARMANDO GUTIERREZ,**

**Plaintiff,**

**vs.**

**JOHN BALDWIN, et al.,**

**Defendants.**

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) **Case No. 18-CV-1478-SMY-RJD**  
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**MEMORANDUM AND ORDER**

**YANDLE, District Judge:**

This matter is before the Court on the Report and Recommendation ("Report") of United States Magistrate Judge Reona J. Daly (Doc. 49), recommending that Defendants' Motion for Partial Summary Judgment on the Issue of Exhaustion of Administrative Remedies be denied (Doc. 27). For the following reasons, Judge Daly's Report is **ADOPTED**.

When neither timely nor specific objections to a Report and Recommendation are made, the Court need not conduct a *de novo* review of the Report. *See Thomas v. Arn*, 474 U.S. 140 (1985). Instead, the Court reviews the Report for clear error. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). The Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

Here, Judge Daly thoroughly discussed and supported her conclusions that Plaintiff exhausted his administrative remedies. The Court finds no clear error in Judge Daly's findings, analysis and conclusions, and adopts her Report and Recommendation in its entirety. Accordingly, Defendants' Motion is **DENIED**.

**IT IS SO ORDERED.**

**DATED: November 4, 2019**



**STACI M. YANDLE**  
**United States District Judge**